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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,570	04/25/2000	Frank B. Manning	1517.1007-001	7535

21005 7590 08/13/2003

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EXAMINER

BARNIE, REXFORD N

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 08/13/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/557,570

Applicant(s)
FRANK MANNING

Examiner
REXFORD BARNIE

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2643



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 25, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

R. W. Pamie
REXFORD BARNIE
PRIMARY EXAMINER
08/07/03

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DETAILED ACTION

Drawings

1. Figures 1A, 1B and 1C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 U.S.C. § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 26 and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Burke et al. (US Pat# 6,597,785).

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Regarding claim 1, Burke teaches a dialing system with a method for determining a dialing sequence to be appended to a telephone number comprising of being able to use a look table in determining how a dialed telephone number is to be processed and then generating a dialing sequence based on the telephone number and prefix entry table in (see col. 4 line 60-col. 6)..

Regarding claims 26 and 50, see the explanation as set forth in the rejection of claim 1 because the claimed method steps would be performed by the apparatus shown in (fig 1).

4.. Claims 1, 26 and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Boakes (US Pat# 5,946,390).

Regarding claim 1, Boakes teaches an intelligent telephone system and method for determining dialing prefixes wherein a microprocessor can determine what prefixes should be inserted automatically with a dialed number in (see col. 2 lines 13-35-col. 5).

Regarding claims 26 and 50, see the explanation as set forth in the rejection of claim 1 because the claimed method steps would be performed by the apparatus shown in (figs. 1 and 3).

5. Claims 1, 26 and 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Manssen et al. (US Pat# 5,963,876).

Regarding claim 1, Manssen teaches a method for editing a received phone number comprising of being able to incorporate prefixes as part of a dialed number and completing a call in (see figs. 1-4 and cols. 3-6).

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Regarding claims 26 and 50, see the explanation as set forth in the rejection of claim 1 because the claimed method steps would be performed by the apparatus shown in (see fig. 1).

Claim Rejections - 35 U.S.C. § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 2-15 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manssen in view of Bayless (US Pat# 5,754,636).

Regarding claims 2-15 and 27-31, Manssen fails to teach using a dialing delay but Bayless teaches a telephone dialing means in (see cols. 47 line 44-52, col. 48 lines 43-50) wherein a time delay can be used when dialing digits.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Bayless into that of Manssen thus making it possible to control the sequence of dialing, provide system timeouts and also, provide speed dialing.

8. Claims 16-21 and 32-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manssen in view of Burke (US Pat# 6,597,785) or Boakes (US Pat# 5,946,390).

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Regarding claims 16-21 and 32-44, Manssen fails to teach the matter in detail whereas burke teaches a look up table wherein prefix and so forth can be retrieved in addition to a number to be dialed in (see disclosure).

Boakes teaches a dialing system wherein prefixes can be inserted as part of a number to be dialed in (see disclosure).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Burke or Boakes thus making it possible to provide speed dialing and saving time.

Regarding claim 45, The examiner takes official notice that screening based on ANI and/or DNIS is notoriously well known as a means of determining fraud.

9. Claims 22-25 and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manssen in view of Robinson (US Pat# 6,408,067).

Regarding claims 22-25, Manssen fails to teach the claimed subject matter in detail but Robinson teaches a method for dialing a telephone number with additional DTMF digits comprising of a programmable database wherein a long distance carrier code entry can be retrieved for addition to a dialed telephone number for a long distance call n (see col. 4 lines 10-22, col. 6 lines 37-55 and col. 7).

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to use any well known of transmitting information including DTMF into that

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of Robinson so that user can receive incentives such as best rates associated with using certain service providers when completing long distance calls.

Regarding claims 46-49, see the explanation as set forth regarding claims 22-25.

Robinson teaches in (see col. 7) that a logic can be controlled based on downloaded information in (see col. 7) wherein the medium could be a computer medium but fails to teach a programming by means of DTMF. It's notoriously well known in the art to download rate information, service provider codes and so forth over a communication medium such as a computer network or telephone network using DTMF signaling and therefore, would have been obvious to one of ordinary skill in the art the time the invention was made to use any well known of transmitting information including DTMF into that of Robinson so that user can receive incentives such as best rates associated with using certain service providers when completing calls.

Conclusion

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to (703) 872-9314 and labeled accordingly (Please label
"PROPOSED/INFORMAL" or "FORMAL").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

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REXFORD BARNIE
PRIMARY EXAMINER

RBarnie

Rexford Barnie
Patent Examiner
RB 08/05/03